

**BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA**

Application of Southern California Edison Company (U-338-E) for Authorization: (1) to Replace San Onofre Nuclear Generating Station Unit Nos. 2 & 3 (SONGS 2 & 3) Steam Generators; (2) Establish Ratemaking for Cost Recovery; and (3) Address Other Related Steam Generator Replacement Issues.

Application 04-02-026  
(Filed February 27, 2004)

**ADMINISTRATIVE LAW JUDGE'S RULING  
DENYING MOTION FOR INTERIM DECISION**

On September 3, 2004, Southern California Edison Company (SCE) filed a motion requesting that an interim decision addressing need, cost-effectiveness, and ratemaking issues be issued on May 5, 2005. The current schedule calls for reply briefs to be filed on April 5, 2005. The final Environmental Impact Report (final EIR) is scheduled to be released to the public on April 12, 2005. SCE's proposed schedule would still call for reply briefs to be filed on April 5, 2005. However, it would require me to prepare a proposed decision by April 19, 2005, 14 days after the receipt of reply briefs. In addition, it would require the Commission to adopt a decision by May 5, 2005, 16 days later. Since such a schedule is unreasonable, I will deny the motion.

Notwithstanding the above, and assuming the current schedule holds, there is no reason for an interim decision because preparing a final decision should not take substantially more time than preparing an interim decision. In addition, preparation of an interim decision would unnecessarily delay a final

decision. If the final EIR is substantially delayed, an interim decision may be appropriate. If it is, I will prepare an interim decision for the Commission's consideration as soon as possible. Such interim decision would address the cost effectiveness based on the record at that time. It could also address ratemaking issues. However, it would not approve or disapprove the project, guarantee the recovery of any expenditures, or dictate the outcome of the Commission's environmental review.

The parties can facilitate an early decision by making their presentations in the record as clear and concise as possible. Clear, concise and well-organized briefs that follow a common outline will also help. In addition, a jointly sponsored comparison exhibit, submitted after the hearings, that reflects the parties' positions on the issues would be very helpful.

As to the final EIR, SCE's cooperation with the Commission's staff and consultants will facilitate the process.

Therefore, **IT IS RULED** that Southern California Edison Company's motion, filed on September 3, 2004, requesting an interim decision is denied.

Dated October 8, 2004, at San Francisco, California.

/s/ JEFFREY P. O'DONNELL

Jeffrey P. O'Donnell  
Administrative Law Judge

**CERTIFICATE OF SERVICE**

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Denying Motion for Interim Decision on all parties of record in this proceeding or their attorneys of record.

Dated October 8, 2004, at San Francisco, California.

/s/ FANNIE SID

Fannie Sid

**N O T I C E**

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.